

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARKO LAW, PLLC,

Plaintiff,

-vs-

ALEXANDER AND ANGELAS, P.C.,

Defendant.

Case No.

Hon.

Removed from:

Wayne County Circuit Court
Case No. 25-005221-NZ

NOTICE OF REMOVAL OF ACTION TO FEDERAL COURT

TO: Clerk of the Court
Wayne County Circuit Court

Hon. Brian R. Sullivan
Wayne County Circuit Court

Michael L. Jones (P85223)

Clerk of the U.S. District Court,
Eastern Division

Defendant Alexander & Angelas, P.C. by and through its attorneys, Law Offices of Alexander & Angelas, P.C., and pursuant to 28 U.S.C. §§ 1441 and 1446 submits this Notice of Removal from Wayne County (Michigan) Circuit Court to the United States District Court for the Eastern District of Michigan.

In support of this Notice of Removal, Defendant states as follows:

1. That on or about April 9, 2025 Plaintiff Marko Law, PLLC (“Plaintiff”), filed a Summons and Complaint (“Complaint”) in Wayne County Circuit Court which was assigned Case No. 25-005221-NZ (“State Court Action”) assigned to Judge Brian R. Sullivan and in which Alexander & Angelas, P.C. was

named as a Defendant. **(Exhibit #1.)**

2. Defendant voluntarily accepted service of process on April 14, 2025.
3. Although Plaintiff's action is titled "Complaint for Declaratory Action", it seeks a reduction and/or extinguishment of Defendant's attorneys' fees as the relief requested in Plaintiff's Complaint is:
 - A. A declaration that Defendant's attorney lien is extinguished because it withdrew without good cause and mishandled the case;
 - B. Such other and further relief as this court deems just and appropriate.
4. That Defendant's attorney fees were previously approved by Opinion and Order dated March 26, 2025 by Honorable Jonathan Grey in the case of *Brian Paul Hyde v. Jason Kass, et al.*, Case No. 2:19-cv- 3403; ECF No. 120. **(Exhibit #2.)**

5. Defendant's attorney fees were previously approved pursuant to 42 USC § 1988.
6. That the aforementioned federal case *Hyde v Kass*, was previously brought pursuant to 42 USC § 1983 arising out of excessive force used on the incarcerated Plaintiff, Brian Hyde, and this court had original jurisdiction of that case. (ECF No. 1: *Brian Paul Hyde v. Jason Kass, et al.*, Case No. 2:19-cv-13403).
7. That original counsel for the *Hyde* case, Defendant Alexander and Angelas

PC, filed a motion to withdraw because of a breakdown in the attorney client relationship, (ECF No. 36) and the Plaintiff in this case, Marko Law, PLLC substituted as counsel (ECF No.40) and tried the case to a jury verdict. ECF No. 103; *Brian Paul Hyde v. Jason Kass, et al., Case No. 2:19-cv-13403*).

8. That Marko Law PLLC, filed a motion for attorney fees as part of its taxation of costs on the verdict, pursuant to 42 USC § 1988(b), and in their motion requested that Defendant Alexander and Angelas PC receive attorney fees as well. ECF No. 111; *Brian Paul Hyde v. Jason Kass, et al., Case No. 2:19-cv-13403*).
9. That the Honorable Judge Grey granted Plaintiff Marko Law PLLC's Motion for Attorney fees including fees to Alexander & Angelas, P.C. by opinion and order, *supra*.
10. This Court has original jurisdiction regarding the attorney's fees previously granted by opinion and order pursuant to 42 U.S.C 1988(b) which states in pertinent part that "in any action or proceeding to enforce a provision of sections1983.....of this title..... the court, in its discretion, may allow the prevailing party,attorneys fees as part of the costs....." and therefore jurisdiction is proper in this court pursuant to 28 U.S.C § 1441(a) as this Court had original jurisdiction of the case of *Brian Paul Hyde v. Jason Kass*, pursuant to 42 USC 1983 well as the attorney fees taxed on the judgment

previously granted by opinion and order pursuant to 42 USC 1988.

11. To the extent Plaintiff's claim concerns any state laws, these are also removable pursuant to 28 U.S.C. § 1441(c).

12. Defendant has timely filed its Notice of Removal in accordance with 28 U.S.C. § 1446(b) and has served it upon the Plaintiff and the state court.

13. Concurrently with the filing of this Notice of Removal, Defendant has filed a Notice of Filing Notice of Removal in the State Court Action (**Exhibit #3**) providing notice to Plaintiff's counsel and to the Wayne County (Michigan) Clerk of Court of this (a) Notice of Removal; (b) the fact that this action is to be docketed in this Court; and (c) that this Court shall hereafter be entitled to grant all relief to the litigants as is proper under the circumstances.

14. Defendant reserves the right to supplement this Notice of Removal if it becomes necessary to do so.

WHEREFORE Defendant Alexander & Angelas, P.C. requests that this action proceed in this Court as a removed claim or cause of action under 28 U.S.C. §§ 1441 and 1446.

Respectfully submitted,

Law Offices of
ALEXANDER & ANGELAS, P.C.

By: /s/ John T. Alexander
JOHN T. ALEXANDER (P43789)
Attorneys for Defendant
30200 Telegraph Road, Suite 400
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(248) 290-5600

Dated: April 24, 2025

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARKO LAW, PLLC,

Plaintiff,

-vs-

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CERTIFICATE OF SERVICE

The undersigned certifies that copies of the **Notice of Removal of Case to the United States District Court for the Eastern District of Michigan and Certificate of Service** were served upon the following attorneys of record via the court's ECF/MiFile filing system on the 24th day of April, 2025:

MICHAEL L. JONES (P85223)
Attorneys for Plaintiff
Marko Law, PLLC
220 W Congress, Fourth Floor
Detroit, MI 48226

Clerk of Wayne County Circuit Court
2 Woodward Ave., Detroit, MI 48226

Clerk to the Hon. Brian R. Sullivan
2 Woodward Ave., Room 1101,
Detroit, MI 48226 (via U.S. Mail)

Law Offices of
ALEXANDER & ANGELAS, P.C.

By: /s/ John T. Alexander
JOHN T. ALEXANDER (P43789)
Attorneys for Defendant
30200 Telegraph Road, Suite 400
Bingham Farms, MI 48025
(248) 290-5600

Dated: April 24, 2025